

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

KRYSTAL MCCLISTER HEMSLEY,
Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING DEFENDANT’S
PRO SE MOTION FOR EARLY
TERMINATION OF SUPERVISED
RELEASE

Case No. 2:02-CR-87-002 TS

This matter is before the Court on Defendant Krystal McClister Hemsley’s “*Pro Se* Motion for Early Termination of Supervised Release,” filed June 22, 2007.¹ The government filed a response on July 5, 2007.² Having considered the file, the circumstances presented by this case, and being otherwise fully informed, the Court will grant Defendant’s Motion, as set forth below.

¹Docket No. 413.

²Docket No. 415.

BACKGROUND

On March 11, 2003, Defendant pleaded guilty to counts 3 and 4 of the Indictment. Defendant was sentenced on September 25, 2003, to a 41-month term of incarceration, to be followed by a 36-month term of supervised release. Judgment was entered on September 26, 2003. Defendant began her term of supervised release on September 19, 2005, and is scheduled to complete her term on September 18, 2006.

DISCUSSION

18 U.S.C. §§ 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is 1) warranted by the conduct of an offender and 2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

The Court has considered these factors, has reviewed the docket and case file, and has consulted with Defendant's supervising officer. It has been represented to the Court that Defendant has satisfied her court ordered obligations and has maintained full-time employment. Defendant has completed the Residential Drug Abuse Program and has successfully completed outpatient substance abuse treatment. Additionally, Defendant has abstained from the use of illicit substances.

Therefore, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

CONCLUSION

Based upon the above, it is hereby


ORDERED that Defendant's *Pro Se* Motion for Early Termination of Supervised Release (Docket No. 413) is GRANTED; it is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately, and this case shall be closed.

SO ORDERED.

DATED this 6th day of July, 2007.

BY THE COURT:



TED STEWART
United States District Judge